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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,377	07/18/2003	Thomas J. Jentsch	2815-0445PUS1	9926

2292 7590 03/25/2008
BIRCH STEWART KOLASCH & BIRCH
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EXAMINER

HAMA, JOANNE

ART UNIT	PAPER NUMBER
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1632

NOTIFICATION DATE	DELIVERY MODE
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03/25/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Applicant filed a response to the Final Action of September 19, 2007 on February 19, 2007.

Amendments:

3a) Applicant has amended the claims such that the in vitro cells express a channel of interest and comprises a transgene construct that reduces the expression of other chloride channels. For example in claim 42, step a, the claims has been amended such that “and/or” is deleted and “and at least one of the following of b) and c)” is inserted. The claims are no longer readable only on in vitro cells that overexpress one chloride channel. As such, this would require a new search and consideration. Thus, the claims have not been entered and responses to Applicant's rebuttals will apply to the claims filed June 25, 2007.

Request for Reconsideration/Other:

35 USC § 112, 2nd parag.

Applicant's arguments filed February 19, 2008, page 9, have been fully considered but they are not persuasive. Applicant indicates that the claims have been amended to address the issue at hand regarding the 112, 2nd parag. rejection. In response, the claims have not been entered. As such, the rejection is maintained.

35 USC § 103(a)

Applicant's arguments filed February 19, 2008, pages 9-10, have been fully considered but they are not persuasive. Applicant indicates that the claims have been amended such that

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Maher et al. is not obvious over the claimed invention. In response, the claims have not been entered. As such, the rejection is maintained.

No claims allowed. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joanne Hama, Ph.D. whose telephone number is 571-272-2911. The examiner can normally be reached Monday through Thursday and alternate Fridays from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras, can be reached on 571-272-4517. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

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Joanne Hama
Art Unit 1632

/Anne Marie S. Weh  /
Primary Examiner, A.U. 1633